

Remarks

In the Office Action, the Examiner rejected claims 1-19 under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter.

By this Amendment, Applicants amend claims 1, 16, 25, 28, and 29 to expedite prosecution only. No new matter has been added by way of these amendments.

Claims 1-29 remain pending.

The Examiner rejects claims 1-29 as allegedly drawn to “a mathematical algorithm, per se.” (Office Action, page 2.) The Examiner further states: “Thus, a process consisting solely of mathematical operations without some claimed practical application is drawn to non-statutory subject matter. In this case, the claims merely recite the steps of calculating a first value, calculating a second value, and determining whether the sequence is a semantic unit, without any practical application being recited.” (Office Action, page 2.)

Applicants do not agree with the Examiner’s contention that claims 1-29 are drawn to a mathematical algorithm, per se, without a claimed practical application. In any event, Applicants submit that independent claims 1, 16, 28, and 29, as amended, are clearly not directed to a mathematical algorithm and recite a practical application. Claim 1, for instance, recites “outputting an indication of whether the sequence is a semantic unit”; claim 16 recites a decision component that outputs “an indication of whether the sequence constitutes a semantic unit”; claim 28 recites “means for outputting an indication of whether the sequence is a semantic unit”; and claim 29 recites “instructions for outputting an indication of whether the sequence is a semantic unit.”

Applicants submit that claims 1-29 are all directed to a practical application. As described in the specification, the determination of whether a sequence is a semantic unit is useful in a number of possible practical applications, including: improving the results of a search engine, named entity recognition, automated language translation, and automated document summarization. (Specification, paragraph 0018.) Accordingly, because all of the pending claims now recite outputting an indication of whether a sequence is a semantic unit, Applicants submit that the claims are clearly directed to a practical application that produces a useful, tangible, and concrete result.

For at least these reasons, the rejections of claims 1, 16, and 28 under 35 U.S.C. § 101 are improper and should be withdrawn. The rejection 2-15 and 17-27 under 35 U.S.C. § 101 are also improper and should be withdrawn, at least by virtue of the dependency of these claims, from one of claims 1, 16, or 28..

In rejecting claim 29, the Examiner additionally alleges that claim 29 is directed to non-statutory subject matter because it is drawn to a “program per se.” (Office Action, page 2.) The Examiner also mentions that “section 23 of the specification defines computer-readable medium as carrier waves.” (Office Action, page 2.) Claim 29, as amended, is directed to a computer-readable memory device. Thus, amended claim 29 is not directed to a carrier wave and the rejection of this claim should be withdrawn.

For at least this reason, the rejection of claim 29 under 35 U.S.C. § 101 is improper and should be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

As Applicants' remarks with respect to the Examiner's rejections overcome the rejections, Applicants' silence as to certain assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or that such requirements have been met, and Applicants reserve the right to dispute these assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: August 10, 2007

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